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New York

SUMMARY RECORD OF THE 5th MEETING

Chairman:	Mr. TOMKA	(Slovakia)
later:	Mr. DANIELL (Vice-Chairman)	(South Africa)
later:	Mr. TOMKA (Chairman)	(Slovakia)

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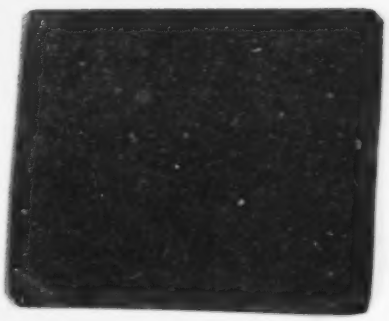

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The meeting was called to order at 10.10 a.m.

AGENDA ITEM 151: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (A/52/33, A/52/308 and A/52/317)

1. Ms. RAMIRO-LÓPEZ (Philippines), Vice-Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, introduced the report of the Special Committee (A/52/33 on behalf of its Chairman. Regarding the maintenance of international peace and security, the Special Committee had again discussed the question of the implementation of the Charter provisions related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter. The Working Group of the Whole had examined a revised working paper submitted by the Russian Federation (A/52/33, paras. 29-38) and, as a result of its deliberations, the Special Committee had invited the General Assembly at its fifty-second session to consider the question of an appropriate organizational framework for addressing further the implementation of the provisions of the Charter relating to assistance to third States affected by the application of sanctions under Chapter VII of the Charter and the implementation of General Assembly resolutions 50/51 and 51/208, taking into account the reports of the Secretary-General as well as the proposals presented and views expressed in the Special Committee (A/52/33, paras. 13 (a) and 28).

2. The Special Committee had also considered other proposals in relation to the general topic of the maintenance of international peace and security. An extensive exchange of views had taken place regarding the working papers submitted by the Russian Federation on the question of a draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts (A/52/33, paras. 39-58). The Special Committee had also considered a revised working paper submitted by Cuba, entitled "Strengthening the role of the Organization and enhancing its effectiveness" (A/52/33, paras. 59-74).

3. In relation to the peaceful settlement of disputes between States, the Special Committee had considered a revised proposal submitted by Sierra Leone entitled "Establishment of Dispute Prevention and Early Settlement Service" (A/52/33, paras. 75-100). In relation to the same topic, two new proposals concerning possible amendments to the Statute of the International Court of Justice to extend its competence with respect to contentious matters to disputes between States and international organizations had been introduced in the Working Group by Guatemala and Costa Rica, respectively (A/52/33, paras. 101-114 and 115-116). The Costa Rican delegation had expressed the hope that the matter would be maintained on the Special Committee's agenda.

4. Chapter V of the report contained an overview of the discussion of proposals concerning the Trusteeship Council. As reflected in paragraph 122, divergent views had been expressed on the question of the future of that body;

delegations had stressed that more time would be needed for an in-depth discussion before any decision could be taken on the matter.

5. Chapter VI of the report dealt with the identification of new subjects, assistance to working groups on the revitalization of the work of the United Nations and coordination between the Special Committee and other working groups dealing with reform. In relation to the identification of new subjects, Mexico had suggested that the Special Committee could initiate a review of practical ways and means to strengthen the International Court of Justice and enhance its capacity to contribute to the peaceful settlement of disputes and the maintenance of international peace. Such a review could focus on the practical matters of the functioning of the Court that could be improved without the need to amend the Charter of the United Nations or the Statute of the Court. After discussion, the Special Committee had decided to recommend to the General Assembly, on the understanding that the recommendation would have no implications for any changes in the Charter or the Statute, to invite States Members and the States parties to the Statute, as well as the Court itself, if it so desired, to submit comments and observations on the consequences that the increase in the volume of cases before the Court had on its operation (A/52/33, paras. 13 (b) and 130).

6. The questions of coordination with and assistance to the various working groups engaged in the process of revitalization and reform of the Organization, including a possible role for the Chairman of the Special Committee in that regard, had been discussed in accordance with paragraph 5 of General Assembly resolution 51/209; however, the Special Committee had been unable to reach a consensus on those questions, as reflected in paragraphs 131 and 132 of the report.

7. Also in relation to that topic, the Special Committee had discussed a draft resolution submitted by Portugal, proposing that rule No. 3 of the rules of procedure of the General Assembly should be amended to increase the number of Vice-Chairmen of each Main Committee from two to three. As reflected in paragraphs 13 (b) and 139 of the report, the Special Committee had decided to recommend the draft resolution to the General Assembly for its consideration and adoption.

8. Lastly, in accordance with paragraph 12 of General Assembly resolution 51/211 A, the Chairman of the Special Committee had held a meeting in May 1997 with the Chairman of the Committee on Conferences, in order to consult on recommendations which the Special Committee might make with a view to achieving the optimum utilization of conference-servicing resources. The views of the Chairman of the Special Committee on that subject were contained in paragraphs 32 to 34 of document A/52/215.

9. Mr. VERWEIJ (Netherlands), speaking on behalf of the European Union, said that the question of the implementation of Charter provisions related to assistance to third States affected by sanctions warranted careful consideration. In adopting resolutions 50/51, 51/208 and 51/242, the General Assembly had made notable strides towards solving the problems experienced by adversely affected States.

10. The European Union welcomed the report of the Secretary-General on the topic (A/52/308), which reaffirmed that the arrangements introduced by the Secretary-General in 1996 continued to apply. The Department of Political Affairs, in consultation with the newly created Department of Economic and Social Affairs, remained responsible for collating and analysing information on the effects of sanctions regimes in third States, advising the Security Council and its organs on specific needs or problems of those States and presenting possible options for mitigating adverse effects. The Department of Economic and Social Affairs continued to collate information on international assistance, which it made available to interested Member States, and to explore innovative and practical measures of assistance through cooperation with relevant institutions and organizations inside and outside the United Nations system. While all those measures remained in place, no request had yet been received from the Security Council, its organs or interested Member States to put them into operation.

11. The development of a possible methodology for assessing the consequences actually incurred by third States as a result of the implementation of sanctions deserved special attention. The Secretary-General had invited a number of organizations to provide him with ideas and suggestions as to the best method of developing such a methodology. Those organizations had been in general agreement that an accurate and transparent impact assessment, based on a common approach to or understanding of the issues involved, was essential both to design the appropriate domestic policy response and to seek adequate external assistance. The Secretary-General proposed to convene an ad hoc expert group meeting on the subject in the first half of 1998, with the participation of both internationally renowned experts in the area and representatives of the relevant organizations both inside and outside the United Nations system, particularly the international financial and trade institutions. The European Union supported that initiative and looked forward to the conclusions of the ad hoc expert group.

12. The States members of the European Union had given ample proof of their determination to minimize the detrimental effects suffered by third States, not only through their support of the measures stipulated in the relevant resolutions, but also through substantial economic and humanitarian assistance, especially to those countries which had experienced the adverse effects of the measures taken against the former Yugoslavia. For that reason, he firmly supported the Secretary-General's suggestion that the ad hoc expert group should be requested to explore innovative and practical measures of assistance that could be provided by all relevant organizations. It was to be hoped that the expert group would present its conclusions well before the fifty-third session of the General Assembly in order to enable Member States to hold further discussions on the topic.

13. He noted with satisfaction that the Economic and Social Council and the Committee for Programme and Coordination had continued to play their respective roles in mobilizing and monitoring economic assistance by the international community and the United Nations system to specially affected third States and in identifying solutions to sanctions-related economic problems. While recognizing the right of adversely affected States to consult the Security Council with regard to a solution of those problems, as provided for in

Article 50 of the Charter of the United Nations, he believed that it was essential not to undermine the powers of the Security Council under Chapter VII of the Charter for the maintenance of international peace and security and to preserve the overall effectiveness of sanctions regimes.

14. The proposal submitted by Portugal for amending rule 103 of the rules of procedure of the General Assembly to provide for the election by each Main Committee of three Vice-Chairmen was motivated partly by practical reasons and partly by considerations of fairness. The increase in the workload of the Main Committees could be better addressed with three, rather than two, Vice-Chairmen; furthermore, the measure would ensure that all five regional groups would be represented by an officer of a Main Committee in the future. The proposal was also in line with General Assembly resolution 2837 (XXVI), paragraph 42 of which had been appended as annex V to the rules of procedure of the General Assembly. He therefore supported the proposal.

15. He expressed appreciation to the Secretary-General for the progress report on the Repertory of Practice of United Nations Organs and the Repertoire of Practice of the Security Council (A/52/317). While the report had been issued too late for a study in depth, it appeared that efforts had been made to eliminate the existing backlogs in the production of supplements to both publications. The European Union attached great importance to that effort and welcomed the new steps taken by the Secretary-General to make the process more efficient. The decision to adopt a flexible approach to simplifying the format of Repertory studies and to decentralize a large part of the responsibility for managing the production of Repertory supplements were two examples in that regard. In relation to the Repertoire, useful preparatory and background studies had been carried out by consultants, which was another example of an innovative working method.

16. In order to prevent possible future duplications, the Secretary-General proposed that, beginning with 1989, the Repertoire should be merged with the volume of the Repertory dealing with the Security Council. While that proposal was of great interest, more time would be needed to study it, particularly from the standpoint of ensuring that none of the information currently contained in the Repertory and the Repertoire would be lost. While commending the Secretary-General for the progress made so far, he hoped that further efforts would be made to improve the situation with regard to the timely publication of the Repertory and the Repertoire.

17. Ms. ESCARAMEIA (Portugal) said that she fully endorsed the statement made by the representative of the Netherlands on behalf of the European Union and had only a few additional comments to make. She had been encouraged by the active participation of many delegations in the 1997 session of the Special Committee, at which a number of interesting new or revised proposals had been presented. On the basis of that experience, she reaffirmed her belief in the important role of the Special Committee and the potential contribution it could make to the ongoing reform of the United Nations. She continued to believe that mechanisms should be developed for participation and coordination with other reform groups of the General Assembly and regretted that insufficient debate had taken place on that question. While every issue in the reform process had both political and legal aspects, the categorization and allocation of matters appeared to be a

question of degree, with the more specifically legal issues being dealt with by the Special Committee.

18. The draft declaration on peacekeeping operations submitted by the Russian Federation and the revised working paper on strengthening the role of the Organization submitted by Cuba, merited further discussion. In her view, several legal aspects of the Russian proposal could be discussed usefully in the Special Committee without duplicating the work of other forums. The Cuban proposal highlighted several crucial aspects of the work of the Organization, attempting for the first time to establish links between the Special Committee and the various reform groups set up by the General Assembly.

19. As to the working paper submitted by the Russian Federation on conditions and criteria for imposing and implementing sanctions, she appreciated the revisions undertaken by the sponsor and believed that some legal aspects of the proposal might usefully be debated by the Special Committee.

20. She endorsed the idea behind the revised proposal submitted by Sierra Leone on the establishment of a dispute prevention and early settlement service, but regretted that it had been drafted as a statement of principles rather than as a legal document containing specific rules for the establishment of the service. It was to be hoped that the proposal would be given a new format at the next session of the Special Committee.

21. With regard to the proposal submitted by Guatemala to extend the jurisdiction of the International Court of Justice to disputes between States and international organizations, which she supported in principle, she looked forward to further improvements, mainly concerning possible difficulties in the constituent instruments of such organizations and the problems that might arise when they were not composed solely of State representatives. She welcomed the alternative drafting proposal submitted by Costa Rica and looked forward to its consideration at the next session of the Special Committee. Her Government had long been of the view that the Court, as the only world judicial body which could apply international law in any of its aspects, should have its jurisdiction strengthened to cover the activities of the main actors in international relations, and was committed to active pursuit of that goal.

22. With regard to the question of the future of the Trusteeship Council, she believed that it was premature to consider abolition of that body, mainly because its functions could not be said to have been completed, especially in relation to Article 77, paragraph 1 (c), of the Charter, concerning territories voluntarily placed under the trusteeship system by States responsible for their administration.

23. The Maltese proposal concerning the coordination of the various programmes in the area of the environment also deserved attention.

24. Turning to the Portuguese proposal for the amendment of rule 103 of the rules of procedure of the General Assembly, she said that, in addition to the arguments outlined by the representative of the Netherlands, the fact that several ad hoc committees, but not the Main Committees, had three Vice-Chairmen created an anomalous situation. The consensus generated during the discussions

in the Special Committee was encouraging, and she hoped that the proposal would be adopted at the current session.

25. Lastly, concerning the Mexican proposal, she fully supported the Special Committee's decision to recommend to the General Assembly that it request comments from States and from the International Court of Justice itself on ways to enhance the practical efficiency of the Court. It had always been her understanding that such a request would not interfere with the independence of the Court and that the results would in no way affect the Court's right to draft its own internal rules of procedure.

26. Mr. PAL (India), said that the most important topic covered in the Special Committee's report was that of the implementation of Charter provisions related to assistance to third States affected by sanctions. India, along with those States and most members of the Movement of Non-Aligned Countries, considered that a permanent solution to the problem needed to be found urgently. In that connection, he recalled that in April 1997 the Foreign Ministers of the non-aligned countries, meeting in New Delhi, had stressed the need to put Article 50 of the Charter into operation and to set up a mechanism, including funding provisions, to provide relief for third States affected by Security Council sanctions, particularly as economic sanctions were being imposed with increasing frequency leading to an increase in the number of such States. Any such mechanism should have the necessary financial base and be able to act automatically to some extent. Since the imposition of sanctions and their adverse economic effects on third States had nothing to do with the Bretton Woods institutions or with bilateral aid, any reference to them in the context of the current debate was irrelevant. Those competent to impose sanctions should bear the responsibility for their adverse effects. After 50 years of experience with regard to the implementation of Chapter VII of the Charter, it was not legally or politically tenable to adduce self-serving interpretations of the word "consult" in Article 50 of the Charter in an attempt to rule out compensation under that Article. Furthermore, in the Sub-group on Sanctions of the General Assembly's Informal open-ended Working Group on the Agenda for Peace the representatives of all regional groups had agreed that matters relating to Article 50 would be dealt within the framework of the Sixth Committee. That being so, he suggested that a working group should be set up to deal with such matters; that it should focus on substantive means translating into reality the "mechanisms or procedures" mentioned in paragraph 2 of General Assembly resolution 51/208; and that the Special Committee should give the highest priority to finding a reasonable and acceptable solution to the compensation problem.

27. The Secretary-General's report on the implementation of provisions of the Charter related to assistance to third States affected by the application of sanctions (A/52/308), like General Assembly resolution 50/51 which had requested it, was more procedural than substantive. However, he had no objection to the proposal in paragraph 12 of the report that an ad hoc expert group meeting on the subject should be convened, provided that experts from such third States, particularly developing States, participated.

28. The proposals contained in the working paper submitted by the Russian Federation on basic conditions and criteria for implementing sanctions and other

enforcement measures (A/52/33, para. 29) could be considered as they stood. In that connection, he recalled the conclusions of the Sub-group on Sanctions of the Informal Open-ended Working Group on an Agenda for Peace. On the substance of the issue, his delegation endorsed the position of the Movement of Non-Aligned Countries as enunciated in April 1992: sanctions should be used only after all other options under the Charter had proved ineffective or inadequate; they should be carried out strictly in accordance with Charter law; they should be responsive to humanitarian needs; they should be limited in time; they should be lifted as soon as their main objective, that of eliminating threats to or breaches of international peace and security, had been realized; and they should not be used as a means of retribution or punishment.

29. His delegation believed that, despite the merit of the proposals contained in the informal working paper submitted by the Russian Federation on basic principles and criteria for United Nations peacekeeping missions (A/52/33, para. 58), the Special Committee on Peacekeeping Operations had the mandate to deal with all peacekeeping matters. It was therefore for that Committee to decide whether any legal issues arising therefrom should be referred to the Sixth Committee and its subsidiary bodies. Jurisdictional confusion between United Nations committees should be avoided.

30. He reiterated his country's commitment to strengthening the United Nations and enhancing its effectiveness. In that connection, the proposals in the working paper submitted by Cuba (A/52/33, para. 59) were interesting. His Government attached great importance to the issue of United Nations reform, including democratization of the Security Council and promoting transparency in its working methods.

31. Concerning the peaceful settlement of disputes, he had been given to understand that any dispute prevention and early settlement service established pursuant to the revised proposal by Sierra Leone (A/52/33, para. 75) would not be expensive. However, certain policy issues required further clarification, for example the position and locus standi of such a service vis-à-vis the existing range of dispute settlement mechanisms and the question whether the establishment of a new service would be a viable proposition during an era of United Nations reform. In any case, it was a fundamental principle of international law that States parties to a dispute had the freedom to choose which means of peaceful settlement they would employ, and that freedom must be preserved.

32. Concerning the future of the Trusteeship Council, India favoured the approach adopted by the General Assembly at its fiftieth session whereby the views of all States would be sought before any in-depth substantive discussion could take place; that approach had been supported by most delegations in the Special Committee.

33. The proposal by Guatemala (A/52/33, para. 101) to extend the competence of the International Court of Justice with respect to contentious matters to disputes between States and international organizations had given rise to strong procedural and substantive objections from a number of delegations. His delegation felt that the proposal might hamper the effective functioning of such organizations, and believed that such disputes should be solved in accordance

with the constituent instrument and applicable procedures of the organization concerned or possibly be referred to the advisory jurisdiction of the Court.

34. Concerning the suggestion by Mexico (A/52/33, para. 123) that ways and means of enhancing the Court's capacity to handle an increasing workload should be considered, his delegation believed that the first step should be to identify any existing inadequacies in the functioning of the Court, along with the practical difficulties faced by the Court.

35. His delegation strongly supported the proposal in the working paper submitted by Portugal (A/52/33, para. 133) that rule 103 of the rules of procedure of the General Assembly should be amended so as to increase the number of Vice-Chairmen of each Main Committee from two to three; that would help to democratize the organization of those committees and ensure respect for the principle of equitable geographical distribution. He believed that there was a consensus in favour of the proposal.

36. Mr. Daniell (South Africa), Vice-Chairman, took the Chair.

37. Ms. RONEN (Israel) referring to the Russian proposal on a draft declaration on peacekeeping missions and the prevention and settlement of crises and conflicts, recalled that at the previous session of the Sixth Committee her delegation had emphasized the importance of adopting a case-by-case approach. No two conflicts were identical, and any framework that was established must allow flexibility both for the parties involved and for the mechanism itself, particularly if the same set of principles was to apply to a variety of mechanisms. In that connection, she noted that paragraph 3 of the informal working paper submitted by the Russian Federation (A/52/33, para. 58) stated that the proposed draft declaration dealt not with a single, concrete mechanism but rather with the total number of such mechanisms, while maintaining the specific characteristics of each of them. That being so, the suggested principles should not be imposed en bloc; rather, States should be able to select the guidance appropriate to their needs. Her delegation therefore supported the emphasis given to the need to obtain the consent of all parties to the operation of a peacekeeping mechanism and suggested that the final document should take the form of model rules rather than a declaration, in order to make it clear that it did not embody a single binding and exhaustive formula.

38. With regard to the working paper submitted by the Russian Federation on basic conditions and criteria for imposing and implementing sanctions and other enforcement measures (A/52/33, para. 29), her delegation shared the Russian Federation's concern about the "sanctions syndrome" and agreed that it would be helpful to have guidance as to the scope of measures such as sanctions. However, the question arose as to whether criteria for adopting sanctions under Articles 41 and 42 of the Charter would indeed limit the use of sanctions, and a similar question arose in respect of encouraging provisional measures under Article 40. Limiting the effect of sanctions or replacing them with less severe measures might result in an even wider use of such measures, supposedly justified because their effects were less harsh. The "sanctions syndrome" would thus be replaced by a "provisional measures syndrome". Her delegation agreed with the Russian Federation as to the need to strike a careful balance between

ensuring the effectiveness of sanctions and mitigating the harm to the civilian population; basic humanitarian needs must be guaranteed.

39. Her delegation questioned the need for the proposals by Guatemala and Costa Rica to amend the Statute of the International Court of Justice and the Charter of the United Nations. In practical terms it was not clear that there was a demand for such reform or that the Court would be able to absorb the extra work effectively, and in policy terms reform seemed unnecessary and possibly even dangerous, especially as careful consideration had been given to the status of the specialized agencies when the United Nations was established. The existing system already contained checks and balances that had largely proved successful, and extending the Court's competence with respect to contentious matters to include disputes between States and international organizations would risk introducing too many divisive political factors into the work of the latter.

40. Her delegation welcomed the proposal to amend rule 103 of the General Assembly's rules of procedure, as it would reduce the workload on the officers of the Main Committees while allowing representation from each regional group. However, the latter reason alone would not have been enough to persuade her delegation to support the proposal, as Israel was for all practical purposes excluded from participation in much of the work of the United Nations. It was the only State excluded from all the regional groups; it was barred from the Economic and Social Council, whose work affected the lives of everyone in the world; it was barred from contributing to the professional forums created by the United Nations; and Israelis could be elected to United Nations bodies only in rare, ad personam elections not dependent on the regional group system, although even then, even world-renowned Israelis had a negligible chance of obtaining the necessary votes. The most fundamental principle governing the work of the United Nations was the sovereign equality of all Members, yet the regional group system had created an organization that was neither universal nor professional. The United Nations and its Members bore a responsibility to redress Israel's unjust exclusion from the regional groups, and the Special Committee should take the matter up, as it related to the Charter and to the role of the Organization.

41. Mr. STERK (Bulgaria) welcomed the report of the Special Committee and endorsed the positions expressed by the representative of the Netherlands speaking on behalf of the European Union.

42. His delegation was particularly interested in the question of the implementation of the Charter provisions related to assistance to third States affected by the application of sanctions under Chapter VII. Bulgaria attached paramount importance to the maintenance of international peace and security and supported the efforts of the international community to that end; it had therefore complied strictly with all United Nations resolutions imposing sanctions, despite the heavy impact of some of them on it's economy. That being so, its experience with the application of sanctions regimes, including measures such as those set out in General Assembly resolution 51/30 A, had revealed the inadequacy of the existing system for providing assistance.

43. His delegation emphasized the importance of implementing the Charter provisions on assistance to third States, believing that all provisions of the Charter were of equal importance for the effective implementation of preventive

or enforcement measures. Where there was a common will on the part of the international community to take steps under Chapter VII to maintain international peace and security, it should go hand-in-hand with a similar commitment to avoid adverse effects on third States and to assist them should such adverse effects nevertheless occur. Such relief measures would affect neither the effectiveness of the sanctions nor the Security Council's fundamental role in and primary responsibility for the maintenance of international peace and security. The economic burden created by implementing sanctions should be distributed fairly among Member States and not be borne solely by States that happened to be neighbours or economic partners of a target country. Bulgaria had on many occasions over the past few years stressed the urgent need to address the issues of assistance to third States in practical terms. The adoption of General Assembly resolutions 50/51 and 51/208 was a very positive development that provided a solid foundation for further work in that area. In that connection, he stressed the importance of early consultations with the Security Council, the Secretariat's role in providing advice on mitigating the adverse effects of sanctions on third States and in exploring innovative and practical measures of assistance to those States [cf. resolution 51/208, operative para. 6] and the role of the international financial institutions in providing assistance to such States. Organizations within the United Nations system could also make a contribution in that connection.

44. His delegation welcomed the report of the Secretary-General (A/52/308) and agreed with the conclusion reflected in paragraph 6 to the effect that "there was no uniform and internationally recognized methodology for identifying and assessing actual or potential consequences incurred by third States as a result of preventive or enforcement measures." His delegation also endorsed the proposal contained in paragraph 12 of the report that the Department of Economic and Social Affairs should convene an ad hoc expert group meeting on the subject in the first half of 1998, with the participation of both internationally renowned experts in the area and representatives of the relevant organizations both inside and outside the United Nations system, particularly the international financial and trade institutions. Although in some cases assistance had indeed been made available to third States, additional channels and options for assisting them should be provided by means of direct economic support as well as alternative forms of non-financial assistance. The ad hoc expert group should further explore other suggestions for assisting third States, such as promoting foreign investment through multilateral or bilateral investment guarantees, easing participation by third State companies in regional and subregional reconstruction and development projects, and allocating additional money for long-term transport infrastructure projects and regional and subregional infrastructure development programmes. The ad hoc expert group should report to the Special Committee, which had unique expertise and experience in the area of assistance to third States.

45. Mr. Tomka (Slovakia) resumed the Chair.

46. Mr. ANDJABA (Namibia) said that his delegation supported the proposal to amend rule 103 of the General Assembly's rules of procedure.

47. Concerning assistance to third States affected by sanctions, Namibia's position was that sanctions should be very much the exception rather than the

rule, but if they were imposed then the burden on third States should be shared by all Member States. The Secretary-General's report (A/52/308, para. 17) indicated that the International Monetary Fund had provided assistance in the form of a standby arrangement from the Systemic Transformation Facility or, in the case of low-income countries, from the Enhanced Structural Adjustment Facility. He hoped that the IMF assistance had been provided without the usual conditionalities. However appreciative one might be of the assistance rendered by institutions outside the United Nations system, they were under no obligation to provide it, and the responsibility for assisting a third State, directly or otherwise, in resolving its sanctions problem lay with the United Nations in general and the Security Council in particular. Namibia therefore shared the views expressed in the Special Committee concerning the establishment of an appropriate mechanism to which third States could turn for practical assistance.

48. His delegation welcomed the proposal contained in paragraph 12 of the Secretary-General's report (A/52/308) that the Department of Social and Economic Affairs should convene an ad hoc expert group meeting in the first half of 1998. However, regional and subregional experts should also be invited.

49. His delegation had noted with appreciation that the functioning of the various sanctions committees was improving. However, efforts must continue to enhance their effectiveness and transparency, and the committees should concern themselves not only with monitoring sanctions regimes but also with any humanitarian problems that arose as a result of sanctions. When such problems did arise, the sanctions committees should notify the Security Council and suggest remedies.

50. His delegation had taken note of the proposal contained in the report of the Secretary-General entitled "Renewing the United Nations: a Programme for Reform" (A/51/950, para. 85) that the Trusteeship Council should be reconstituted as the forum through which Member States exercised their collective trusteeship for the integrity of the global environment and common areas such as the oceans, atmosphere and outer space. That proposal should be examined carefully, as it might create duplication with existing United Nations machinery dealing with environmental and outer space issues. Instead, the United Nations Environment Programme, now successfully reformed, should be strengthened so that it could carry out its mandate effectively.

The meeting rose at 11.25 a.m.